Order

Michigan Supreme Court Lansing, Michigan

July 29, 2008

136441 & (14)

RONALD MUNSTER, Plaintiff-Appellee, Clifford W. Taylor, Chief Justice

Michael F. Cavanagh Elizabeth A. Weaver Marilyn Kelly Maura D. Corrigan Robert P. Young, Jr. Stephen J. Markman, Justices

V

CITY OF BATTLE CREEK, Defendant-Appellant,

and

SECOND INJURY FUND, Defendant.

On order of the Court, the application for leave to appeal prior to decision by the Court of Appeals is considered, and it is DENIED, because the Court is not persuaded that the question presented should be reviewed by this Court before consideration by the Court of Appeals. The motion to consolidate is DENIED as moot.

SC: 136441

COA: 284666 WCAC: 06-000238

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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 29, 2008

Clerk